

AIRPORT ADVISORY BOARD

MAY 20, 2004

1. ROLL CALL

The meeting was called to order at 6:05 p.m. Board members present were Vice-Chair Stephanie Osborn, Debbie Chandler, Jorge Egues, Melinda Hart, David Oakes, Andre Parke, Mitch Topal and Don Zane. Also present were Mayor Truex, Vice-Mayor Paul, Councilmember Starkey, Planner Brad Swing, Public Information Specialist Braulio Rosa and Board Secretary Janet Gale recording the meeting. Chair Jim Futch, and Hertz Halperin were absent.

Vice-Chair Osborn advised that the Board intended that the meeting not exceed two hours.

Ms. Hart made a motion, seconded by Mr. Oakes, that the meeting be ended in two hours and if time permitted, that the public have a question and answer session not to exceed 30 minutes. In a voice vote, with Chair Futch and Mr. Halperin being absent, all voted in favor. **(Motion carried 8-0)**

Consultant Brenda Chalifour introduced Mayor Truex, Vice-Mayor Paul and Councilmember Starkey. She asked that Broward County Commissioner John Rodstrom address the public regarding his viewpoints on the airport expansion. He spoke of the low estimates that have been projected regarding mitigation costs and asked the question "what do we want our airport to be."

Councilmember Starkey spoke about noise contours and monitoring. She advised where another noise counter had been added to the Town's vicinity.

3. DISCUSSION

3.1 Negative Impacts Associated with Airport Expansion

A. Scott Marder, Chair City of Hollywood Airport Advisory Board

Mr. Marder assured that the expansion "was not a done deal". He specified a course of action to involve other residents of the County and the questions which needed to be considered since the costs would be shared by all the County's residents.

B. Bob Anton, Resident of Melaleuca Gardens, Dania Beach

As Mr. Anton could not be present, Anne Castro, resident of Melaleuca Gardens in Dania Beach, reiterated Commissioner Rodstrom's opinion that this was not a done deal. She provided historical information on the organization and mobilization of the residents in her community to form a coalition to oppose the airport expansion. Ms. Castro explained how the homeowner's association had grown and the actions which had been taken to have their voices heard. She spoke of several strategies, offered resources and advised that working together and building in numbers would be most politically effective.

C. George Cavros, Broward County Sierra Club

Mr. Cavros spoke of the unbridled growth of this project and committed the support of the Sierra Club in opposition to it.

AIRPORT ADVISORY BOARD

MAY 20, 2004

D. Dr. Lisa Baumbach-Reardon, Broward County Audubon Society

Dr. Baumbach-Reardon spoke of the primary responsibility to protect the environment. She indicated that the airport could be used more effectively, that other alternatives needed be examined for environmental impacts, and that the Environmental Impact Statement (EIS) had to be thoroughly evaluated. Dr. Baumbach-Reardon contended that unless she could be convinced that the expansion was badly needed, the Audubon Society was not in favor of it.

E. Brenda Lee Chalifour, Save Our Shoreline, Inc.

Ms. Chalifour summarized some of the key points of the previous speakers and reiterated that it was not a done deal. She stated that only three more votes were needed from the County Commission to stop this project.

2. PRESENTATIONS

2.1 Issues of Condemnation and Inverse Condemnation – Neal McAliley

Mr. McAliley indicated that he was retained as counsel for the Town to work on the federal environmental process related to the airport expansion. He explained how the process worked and where his expertise would be applied in that process. Mr. McAliley spoke of the EIS and clarified that it was to be an unbiased study on the physical changes in the human environment with honest factual information on the analysis of the project's impacts regarding noise, endangered species, air pollution and water pollution as well as socio-economic impacts. The information in the EIS was for the benefit of the public and governmental agencies to make informed, educated decisions before a project could be approved or denied. Mr. McAliley provided a "road map" on how the process would work over the next few years and which also presented a sense of timing.

Mr. McAliley introduced Andy Shuster from the law firm of Brigham and Moore, to speak specifically on condemnation law. Mr. Moore explained the functions of condemnation and inverse condemnation. He indicated it was premature to take to the courts as the issue was undecided and still in the hands of the public. Mr. Shuster stated that litigation was the last resort and he recommended that ordinary people become involved, organized, and take control of their future.

3. DISCUSSION

This item was addressed earlier in the meeting.

4. QUESTIONS/ANSWERS

Julie Maharris, Rolling Hills Estates, stated that she understood the north runway was a "done deal" and asked if the project involved the southern runway or both. Mr. McAliley indicated that nothing was a done deal at this point. Councilmember Starkey elaborated by advising of the Broward County Aviation Department's "Vision 2020" which involved the expansion of the airport, seaport, rail lines and roadways. She explained how this project was intertwined with those goals and that subsequent to the event of "Nine-Eleven," this project was not sound security.

Ms. Chalifour identified the County Commissioners who supported the project, those who were opposed and who may be persuaded to reconsider their positions on this matter.

AIRPORT ADVISORY BOARD

MAY 20, 2004

Robert Coble, 3900 East Lakes Estate Drive, spoke of the air pollution that dropped from the current flights. Ms. Chalifour advised him that the Town should make an immediate request from the County to start a study regarding this problem.

Jill Velez, 3871 SW 60 Avenue, questioned who wanted to take her property and where these people lived. She was opposed to the expansion and in favor of maintaining her present home and quality of life.

Joyce Ryan, 3041 Periwinkle Way, spoke of current problems with early morning flights which awaken her. She wanted to know what was being done about this.

Vice-Chair Osborn indicated that the Board was concerned with the current problems as well as the expansion. She proposed that flights should be curtailed from midnight through 6 a.m.; that the flight paths should be over major highways such as I-595; and that close-in decent approaches be implemented.

Mr. McAliley spoke about the operational restrictions of the airport, how it was driven by supply and demand, and which authorities were responsible for which aspects. With regard to determining flight tracks, he indicated it was ultimately the jurisdiction of the Federal Aviation Authority (FAA) which was responsible for the use of airspace and not the County's domain.

Ms. Chalifour described a political approach which could be taken to seek Legislative changes and put pressure on the FAA.

Ms. Castro suggested that people become involved in the campaign process for candidates who supported anti-expansion. She emphasized that people should not panic; that should the battle be lost, which she doubted, it would be more financially advantageous to keep their property for the condemnation process rather than giving it up to speculators now.

Mr. Zane made a motion, seconded by Mr. Topal, that the Board members invite all the candidates who were seeking Commissioner Lori Parrish's seat, to meet here before the public at the next Board meeting to state their positions. In a voice vote, with Chair Futch and Mr. Halperin being absent, all voted in favor. **(Motion carried 8-0)**

Vice-Chair Osborn asked if it was true that the FAA made changes under the influence of public pressure. Mr. McAliley agreed that the FAA would sometimes bend and reiterated that it was the FAA which made the decisions when it concerned air space and not the County.

Ms. Hart spoke of the impact that noise pollution had on the educational process and asked if educational institutions had been contacted regarding this issue. Mr. McAliley responded that he could not answer whether educational institutions had been contacted; however, he did address the issue of noise levels and schools. Ms. Chalifour indicated that School Board members should be educated on the issue and that it be pointed out that this was a problem they would eventually be facing as well.

Mr. Egues maintained that the situation was already unreasonable and the Town and Board should devise its own plan of alternatives and negotiate from the position of what it wanted.

AIRPORT ADVISORY BOARD

MAY 20, 2004

Councilmember Starkey spoke of litigation taken by Boston's Logan Airport against the FAA. She questioned Mr. McAliley as to why Dania Beach had not pursued litigation regarding specific restrictions implemented in an agreement and which have not been maintained. Councilmember Starkey advised that monies received from fines against the FAA were then used to "fight the efforts".

Mr. McAliley responded that he would research the details of the fines; however, he did address some of the airport management efforts that had been taken by Boston's Logan Airport in order to alleviate the need for expanded runways at that site.

Councilmember Starkey also asked about mitigation efforts today and if it was a possibility that the County could develop an estimate of the cost that would be needed to provide additional mitigation. Mr. McAliley believed an estimate could be provided and that it was a "political choice." He went on to explain the "Part 150" process which was the course to follow in order to obtain federal dollars to help pay for mitigation.

Ms. Hart advised that she had received a letter from a company interested in purchasing her property and she addressed her comments to Ms. Velez who wanted to know who these people were. Ms. Hart indicated that although she responded to the letter, she had not been able to find out any information; however, as soon as she knew, she would inform the public.

Mr. Oakes concurred with Mr. Egues that "we should create our own plan and take control of our destiny." He added that with the help of the involved community, it could be accomplished.

5. COMMENTS AND/OR SUGGESTIONS

5.1 Homework - Distribution of Literature

Ms. Chalifour advised that there were handouts available for the public regarding what they could do at home to encourage anti-expansion efforts.

Mayor Truex commented that no one was exaggerating the existing problems of living under a flight pattern. He encouraged that the residents continue to build upon the Town's efforts in this process, stay involved, attend meetings and inform other residents of impacts the expansion would have on the residents of the County.

6. ADJOURNMENT

There being no further business, Vice-Chair Osborn adjourned the meeting at 8 p.m.

Date Approved: _____

Chair/Board Member